

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

AGAJAN ALLABERDIYEV,

Plaintiff,

v.

ALEJANDRO MAYORKAS, *et al.*,

Defendants.

No. 2:23-cv-02002-JNW

STIPULATED MOTION TO HOLD
CASE IN ABEYANCE AND ORDER

Noted for Consideration:
July 10, 2024.

Plaintiff brought this litigation pursuant to the Administrative Procedure Act and Mandamus Act seeking, *inter alia*, to compel the U.S. Citizenship and Immigration Services (“USCIS”) adjudicate his Form I-589, Application for Asylum and for Withholding of Removal. This case is currently stayed through July 10, 2024. Dkt. No. 6. The parties are currently working towards a resolution to this litigation. For good cause, the parties request that the Court hold the case in abeyance until October 21, 2024.

Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for

counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ. P. 1.

With additional time, this case may be resolved without the need of further judicial intervention. At the initial interview, Plaintiff submitted additional documentation. As a result, USCIS is needing to re-interviewed Plaintiff on August 22, 2024. However, USCIS needs additional time to adjudicate his asylum application. Once the application is adjudicated, Plaintiffs will dismiss the case with each party to bear their own litigation costs and attorneys’ fees. Accordingly, the parties request this abeyance to allow USCIS to process the asylum application.

As additional time is necessary for this to occur, the parties request that the Court hold the case in abeyance until October 21, 2024. The parties will submit a joint status report on or before October 21, 2024.

Dated: July 10, 2024.

Respectfully submitted,

s/ Bart Klein

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Attorneys for Plaintiffs

I certify that this memorandum contains 267 words, in compliance with the Local Civil Rules.

s/ Zachary A. Cardin

ZACHARY A. CARDIN

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ORDER

The case is held in abeyance until October 21, 2024. The parties shall submit a joint status report on or before October 21, 2024. It is so **ORDERED**.

DATED this 11th day of July, 2024.



Jamal N. Whitehead
United States District Judge